

131896COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

February 26, 2001

D037316 Hetrick v. Bourdeau

Pursuant to California Rules of Court, rule 10(c), the appeal filed January 17, 2001, is dismissed for appellant's failure to timely designate the record (Cal. Rules of Court, rules 4(a) and 5(a)).

D034447 People v. Arreola

The judgment is affirmed. The trial court is directed to amend the abstract of judgment to reflect the imposition of the midterm for count 8 and to forward a certified copy of the amended abstract of judgment to the Department of Corrections. Huffman, Acting P.J.; We Concur: Haller, J, McDonald, J.

D036453 In re Breonna T., a Juvenile

The order denying visitation and a bounding study is reversed. The juvenile court is directed to hold a new hearing to make factual findings as to whether it would be detrimental for Jonet to visit Breonna and whether a bonding study is appropriate. Nares, J.; We Concur: Benke, Acting P.J., Haller, J.

D036495 People v. Gucyski

The judgment (order granting probation) is affirmed. Huffman, Acting P.J.; We Concur: Nares, J., McDonald, J.

D036492 Thieu v. Castro et al./American States Insurance Company, Inc.

The judgment is affirmed. Kremer, P.J.; We Concur: Haller, J., McDonald, J.

D034722 People v. Gardner

The denial of a petition for writ of habeas corpus is not appealable. The appeal is dismissed.

D036426 Del Cerro Mobile Estates v. Proffer

The order is affirmed. The matter is remanded to the superior court to determine the amount of attorney fees on appeal recoverable by respondent Proffer. Kremer, P.J.; We Concur: Haller, J., McDonald, J.

D034042 People v. Jiminez

Judgment is reversed. Huffman, Acting P.J.; We Concur: Nares, J., McIntyre, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

February 27, 2001

D036306 In re Philip Y. et al., Juveniles

Cause called on merits. Richard Pfeiffer, Esq. argued for appellant. Julie E. Braden, Esq. argued for minors, Philip and Joshua. Gary Seiser, Deputy County Counsel argued for respondent. Mr. Pfeiffer replied. Mr. Seiser replied. Ms. Braden replied. Cause submitted.

Court adjourned at 10:30 a.m.

D035119 Triprism, Inc. v. Dellastations et al.

The judgment is affirmed. The respondent shall recover costs on appeal. Nares, Acting P. J.;
We Concur: McIntyre, J., O'Rourke, J.

D037425 People v. Hill

The Appellate Department has denied appellant's request for certification to this court. Appellant does not meet the criteria set out in California Rules of Court, rule 61(a). The appeal is DISMISSED.

D036483 People v. Sledge

The superior court is directed to stay sentence on the conviction of making possessing or uttering a fictitious instrument and to forward the corrected abstract of judgment to the Department of Corrections. In all other respects the judgment is affirmed. Work, Acting P.J.; We Concur: Benke, J., O'Rourke, J.

D036856 Sarkozi v. Andrews

The judgment is affirmed. Dr. Andrews is awarded costs on appeal. Haller, J.;
We Concur: Nares, Acting P.J., O'Rourke, J.

D032571 People v. Sims

The judgment is affirmed. Benke, Acting P.J.; We Concur: Nares, J., McDonald, J.

**D037333 Moore v. Superior Court of San Diego County/San Diego Electrical Training
Trust et al.**

The petition is denied.

D036503 People v. Molina

The judgment is affirmed. Work, Acting P.J.; We Concur: Benke, J., McIntyre, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

February 28, 2001

D036164 Conservatorship of the Person of Kelly F.,

The appeal is dismissed as lacking an appellant objective. McIntyre, J.; We Concur: Benke, Acting P.J., O'Rourke, J.

D036919 In re Menefield on Habeas Corpus

The petition is denied.

D036842 In re Diven S., a Juvenile

The appeal is dismissed. O'Rourke, J.; We Concur: Benke, Acting P.J., McIntyre, J.

D034678 Ferreira v. Gray, Cary, Ware & Freidenrich et al.

The judgment is affirmed. Costs are awarded to respondents. CERTIFIED FOR PUBLICATION. McIntyre, J.; We Concur: Huffman, Acting P.J., O'Rourke, J.

D034857 People v. Aiken

Judgment affirmed. Work, J.; We Concur: Kremer, P.J., Benke, J.

D036041 In re Menefield on Habeas Corpus

The petition is denied.

D036961 People v. Mudge

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately.

D036512 People v. Servin et al.

Appellants' petition for rehearing is granted.

D035336 Dupont v. Dupont/County of San Diego

Because the parties have been requested to provide further clarification of certain matters that may effect the case before this court, the order submitting this case after oral argument on February 15, 2001, is vacated. The case will be resubmitted after the supplemental information is received.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

March 1, 2001

D036531 Hull v. Hull et al.

The judgment is affirmed. Robert's motion for sanctions including attorney fees for Billie's assertedly frivolous appeal is denied. Respondents shall have costs on appeal. Kremer, P.J.;
We Concur: Benke, J., Haller, J.

D033611 People v. Townley
D036133 In re Townley on Habeas Corpus

Appeal from a judgment of the Superior Court of San Diego County consolidated with petition for a writ of habeas corpus.

D033611 People v. Townley
D036133 In re Townley on Habeas Corpus

Judgment affirmed as modified. Habeas corpus petition denied. O'Rourke, J.;
We Concur: Kremer, P.J. Huffman, J.

D036517 People v. Johnson

The judgment (order revoking probation) is reversed, and the matter remanded to the superior court for a new probation revocation hearing at which, as the law requires, Johnson be accorded his constitutional right of confrontation. Huffman, Acting P.J.; We Concur: Nares, J., Haller, J.

D036353 In re Abigail R. et al., Juveniles

The judgment is affirmed. McIntyre, J.; We Concur: Benke, Acting P. J., Nares, J.

D034843 In re Edward M., a Juvenile

The judgment is reversed and remanded with instructions to strike the disclosure condition and to declare whether the Vehicle Code section 10851 offenses were felonies or misdemeanors. In all other respects the judgment is affirmed. McDonald, J.; We Concur: Kremer, P. J., Benke, J.

D034935 People v. Lund

The judgment is affirmed. Kremer, P.J.; We Concur: Work, J., O'Rourke, J.

D037085 Fame v. Superior Court of San Diego County/Estrada

The petition is denied.

D037449 Hewlett v. Superior Court of San Diego County/Namvar et al.

The petition is denied.

D035436 People v. Marzan

The judgment is affirmed. Benke, Acting P.J.; We Concur: Huffman, J, O'Rourke, J.

D036406 People v. Eagleston

The appeal is dismissed. Work, J.; We Concur: Kremer, P.J., Huffman, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

March 1, 2001 (Continued)

D037286 Osman v. Mission Plaza Condominiums Homeowners Association

Pursuant to California Rules of Court, rule 19(c), the appeal filed November 27, 2000, is dismissed for appellant's failure to timely designate the record (Cal. Rules of Court, rules 4(a) and 5(c)).

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

March 2, 2001

D037067 In re Escobar

The petition is denied.

D037457 Keefer v. Superior Court of San Diego County/Keefer

The petition is denied.

D035752 People v. Turner

The order is affirmed. McIntyre, J.; We Concur: Nares, Acting P.J., O'Rourke, J.

D036423 Weisenfluh v. Regents of The University of California

It is ordered that the opinion filed February 1, 2001, is modified. There is no change in the judgment. The petition for rehearing is denied.

D035158 National City Police Officers' Association v. City of National City

The trial court's judgment is reversed and remanded for further proceedings consistent with the views expressed herein. Appellant to recover its costs of appeal. Benke, J.; We Concur: Kremer, P.J., O'Rourke, J.

D036942 In re Robinson on Habeas Corpus

The petition is denied.

D037382 East County Physicians Medical Group, Inc. v. Superior Court of San Diego County/Aetna Life and Casualty Insurance

The petition is denied.

**D037454 Rite Aid Corporation et al. v. Superior Court of San Diego County/
Steve Albrecht et al.**

The petition is denied.

D034347 Berlin et al. v. Lawyers Title Insurance Corporation et al.

The petition for rehearing is denied.

D033847 People v. Slovik

The judgment is reversed in part as to the third prior serious felony conviction enhancement. The enhancements on the two stayed prison priors are stricken. The cause is remanded to the trial court to allow the People to exercise an option to retry the prior serious felony allegation in Case No. CR70102. After any subsequent proceeding, the superior court is directed to amend the abstract of judgment and to forward the correct copy of judgment to the Department of Corrections. In all other respects, the judgment is affirmed. Work, Acting P.J.; We Concur: Huffman, J., McDonald, J.